Ruling an unruly space : "Petty sovereigns" and challenges to state sovereignty in Darjeeling/India

Wenner, Miriam

Ruling an unruly space. "Petty sovereigns" and challenges to state sovereignty in Darjeeling/India

Miriam Wenner

Key words: sovereignty, petty sovereigns, autonomy movements, state control, Darjeeling, India

The traditional understanding of state sovereignty as the indivisible and unified locus of state power that legitimises the rule of law over a state's territory is an unattainable ideal (Agnew, 2005; Butler, 2004; Erlenbusch, 2012). State sovereignty is not only challenged from the outside, i.e. from other states. Actors like guerrillas, mafias, criminals, or strongmen pose challenges to the state's *domestic* sovereignty, too (Axtmann, 2004; Krasner, 1999; Stepputat, 2013). These "informal sovereignties" (Hansen & Stepputat, 2006, p. 295) exercise control over spaces and their populations while seemingly acting outside the legal domains of state law. Also, movements for sub-national autonomy challenge the state's authority over its territories by claiming an "own" space or "homeland". They not only propose alternative visions of which areas and populations belong together (Werlen, 2005); their mass protests (violent or peaceful) also signify a lack of compliance with governmental rules and directives. As the ideal of indivisible sovereignty over territory remains a central aim of the state, the control of such perceivably "unruly" spaces (Karlsson 2011; Li 2001; Stepputat 2013) and their "dangerous" populations is of utmost importance for governments. Drawing on my case study of the movement for a new Union State "Gorkhaland" in India, I explore how the West Bengal government tries to maintain the territorial integrity of its polity and to reinstate its sovereign monopoly over the contested region. I explicitly focus on the role of local strongmen as informal sovereigns, and the government's attempts to control these by transforming them into state-dependent "petty sovereigns" (Butler 2004). By dismantling the relations between these strongmen and the state, my case underlines that boundaries between formal and informal sovereignties are not clear-cut. Rather, the state creates and controls the conditions for local strongmen to ascertain their own privileged position in local politics. Only in a relationship of co-dependence can both, the state and the insurgent leaders maintain their authority. This paper is based on qualitative interviews with political leaders, tea plantation workers and intellectuals in Darjeeling district as well as on observations of political meetings and a review of newspaper articles (mainly from The Telegraph). Field research was conducted in Darjeeling between January 2011 and July 2013.

Darjeeling as an unruly space

In 2007, Darjeeling district - situated in the foothills of the Himalayas - witnessed the revival of a movement for a new Union State of "Gorkhaland". The "Gorkhas" –the Nepali-speaking majority of the region– demanded a territory comprising both Darjeeling district and its adjoining areas in Northern West Bengal. Enticed by the British colonial rulers, the ancestors of many Gorkhas had migrated to Darjeeling from today's Nepal during the colonial time to work on the newly established tea plantations or to join the army. Despite being Indian citizens, many Gorkhas feel stigmatised as citizens from Nepal and claim that only Gorkhaland could guarantee them a recognised "Indian" identity. Their feeling of governmental neglect is supported by perceptions of being culturally and racially different from the Bengal-dominated plains (Middleton 2013; Wenner 2016). Earlier, in the 1980s, when the previously ruling Gorkha National Liberation Front (GNLF) had initiated a violent movement for Gorkhaland, the then Communist Party of India (Marxist) (CPI-M) led State government had reacted with the deployment of paramilitary forces. More than 1,200 persons died in the civil war like agitation which resulted in the creation of an autonomous sub-State Darjeeling Gorkha Hill Council (DGHC) in 1988 (Samanta, 2000; Subba, 1992). Various accounts underline how the DGHC, instead of fostering development, succumbed to an instrument of power in the hands of the GNLF which ruled it for the coming 20 years, passively accepted by the West Bengal government (Chakrabarty, 2005; Lacina, 2009; Sarkar & Bhaumik, 2000). Eventually, in October 2007 the newly established *Gorkha Janmukti Morcha* (Gorkha Liberation Front, GJM) succeeded the GNLF while announcing a "democratic and non-violent" movement for Gorkhaland. While both national and State government are opposed to the claim, the protest is mostly directed against the West Bengal government. Various indefinite general strikes (*bandhs*), *gheraos* (encircling by a human chain) of government offices and police stations, tax-boycotts, and hunger strikes in Darjeeling posed stark challenges to the State governments' authority and its ability to enforce "law and order" in the contested region. The Gorkhas' historical demand for Gorkhaland renders the Darjeeling hills an unruly space with a "dangerous" population carrying high potential for forceful and sustained agitations. This "dangerousness" is en-

hanced by commonly held perceptions of the "wild hills", and by the fact that Darjeeling is situated in a geostrategically sensitive border region between Nepal, Bhutan, Bangladesh, and China. I now sketch two examples that underline how GJM leaders can be considered as informal sovereigns in their own right. Thereafter, I show how the government brought these leaders under its control by creating (and contracting) exceptional conditions for them to rule.

The GJM as an informal sovereign

Carl Schmitt (1985) saw sovereignty manifested in the decision of the sovereign (i.e. government, king) to suspend the law, and creation of a temporally and spatially circumscribed "state of exception" (Erlenbusch, 2012; Korf & Schetter, 2012). Agamben (1998, 2005) transcended this understanding by emphasising that this state of exception is not a temporary and spatially limited event but an intrinsic and permanent element of governance (Hagmann & Korf, 2012). Similarly, Butler (2004) detected sovereign power as a tactic in the field of governance, a point I return to below. Agamben's (1998) emphasis on "bare life" as the body on which sovereign power is inscribed (in distinction to the political life of recognised and right-endowed citizens), inspired Hansen and Stepputat to approach sovereignty as the *de facto* power "to kill, punish, and discipline with impunity" (Hansen & Stepputat, 2006, p. 13). Such conceptualisations help accounting for the manifold forms of informal sovereign power as described above and to identify sovereign acts of the GJM leaders and the West Bengal government. What all these conceptualisations share is their emphasis on the relations between law and sovereign power: the sovereign is able and legitimised to suspend and/or to act outside of the law. In the initial stages of the revived Gorkhaland movement, also the GJM leaders had this capacity, as the following examples underline.

Bandhs, dress-codes, and the Gorkhaland Personnel

A first instance underlining the GJM leaders' sovereignty is their ability to enforce indefinite general strikes (*bandhs*) in the Darjeeling hills. Endowed with the mass-support for Gorkhaland, such *bandhs* lay siege to public and private life alike. Not only were private and passenger vehicles or trucks prohibited from plying on the roads; also all government offices and shops, including hotels and restaurants, were forced to close. Only ambulances, newspaper- and milk-trucks, as well as vehicles of the high-file GJM leaders were excepted, underlining the power of these leaders to breach the "law" created by themselves. Although many respondents shared that they initially supported such *bandhs* voluntarily, later they did so fearing punishment and intimidation by the GJM cadres. Another instance of the GJM's sovereignty is its directive of a dress code forcing residents of the hill towns to wear "traditional Gorkha attire". Those who refused got their faces blackened by GJM activists. In 2008, the GJM even established its own police-like force, the Gorkhaland Personnel (initially "Gorkhaland Police", GLP). This consisted of selected male and female youth who received training from former army-personnel, got a monthly pay and stayed in barracks, including premises illegally occupied by the GJM. Although officially only deployed for ensuring order during mass protests they soon gained a reputation as *goondas* or thugs. Apparently fearing to further escalate the protests if deploying forces (such as happened in the 1980s), the CPI-M led State government was unable to prevent such activities. Under such conditions it had to accept that it had lost its control over Darjeeling which now followed the extra-legal directives of the GJM leaders.

Abb. 1: Female-wing GJM activists during a bandh in Darjeeling town, January 2011 (Foto: M. Wenner)

Violent repression

A second example for the GJM leaders' sovereignty is their unpunished use of violence against its rivals. Although other regional parties in Darjeeling lack a broad political support base they pose a potential threat to the GJM by equally demanding Gorkhaland and exposing the GJM's corrupt practices. In the morning of May 21, 2010, one of the most vocal critiques of the GJM, the popular president of the All India Gorkha League Madan Tamang, was physically attacked by a mob of GJM activists while preparing for a public meeting at a central place of Darjeeling town. While his bodyguards escaped, one GJM activist took out a long sword and brutally cut him under the eyes of police and public. Pictures of the publicly slain leader lying in a dark-red sea of blood were printed in the newspapers the next day. The main suspect escaped police custody under mysterious circumstances, while the GJM leaders figuring on the charge sheet were not arrested. This reminded the people of Darjeeling of who wielded the power, and instances a visible act of

their *de facto* sovereignty in the sense of "killing with impunity" (cf. Hansen & Stepputat 2006). Doubting the ability of the West Bengal investigating agency, in January 2011 the Kolkata High Court transferred the investigation to the national Central Bureau of Investigation which since assembles evidence against the accused. Yet, the accused GJM leaders were not arrested till today.

Indirect state control and "petty sovereigns"

During the initial phase of the revived statehood agitation (2007 and 2008), the GJM established its rule over Darjeeling drawing on massive public support. Yet, the regular tri-partite talks with the State and central governments slowly replaced the statehood agenda with one of regional autonomy (*Indian Express*, 19.3.2010), and – although the GJM continued to promise statehood publicly – its inability to deliver Gorkhaland made people doubt the capacity and willingness of the new leaders. This loss of its normative legitimacy threatened a loss of followers to the other Gorkha parties in Darjeeling and forced the GJM to prop up its authority with other sources (Wenner, 2015). One of these sources was the distribution of developmental funds and welfare schemes along intra-party patronage networks. Especially the monopolisation of access to the meanwhile un-elected and State-administrator headed DGHC proved a valuable source of such patronage (ibid.). Accepted by government appointed bureaucrats, the GJM established its own informal (or "exceptional") rules for the distribution of developmental projects. By accepting such practices, the state helped create the exceptional conditions for the GJM to act as a distributor of patronage. But while such paternalist networks gained importance for the GJM to sustain their active supporters in the district, it made them dependent on the West Bengal and central government as sources of these resources. The creation of such dependencies indicates that the state turned the local GJM strongmen into "petty sovereigns" (a term introduced by Butler (2004) to describe the functioning of government officials in Guantanamo Bay). These petty sovereigns act within a government-created "state of exception"; although their sovereign power is delegated and not totally self-grounding they are still invested with the power to decide on life and death. Importantly, it is the state that creates the very exceptions that allow such petty sovereigns to act. The creation of the "state of exception" becomes a technique of governing (ibid.) an unruly space. In other words, by transforming the GJM strongmen into "petty sovereigns" by making them dependent on the recognition and distribution of patronage resources through the state, the West Bengal government managed to bring them within the ambit of its own rules. These petty sovereigns became important mediators between the insurgent population and a state that (till then) was unable to rule directly. In July 2011, after the Trinamool Congress (TMC) had succeeded the CPI-M in the West Bengal government, the informal working agreement between the State government and the GJM was formalised through the announcement of a new autonomous council, the Gorkhaland Territorial Administration (GTA) as a replacement for the DGHC. In August 2012, after the GJM had won the elections to the GTA it became the *de jure* distributor of the GTA's resources. This institutionalised its co-dependence with the West Bengal State and furthered the GJM leaders' transition from informal sovereigns to "petty sovereigns". Also the above described Madan Tamang murder case indicates the ultimate dependence of the GJM leaders' ability to "punish with impunity" on the West Bengal government. The secrecy surrounding the case makes it hard to tell whether the murder presents a pure act of self-grounded sovereign violence or whether it is the State government that created the "exceptions" from the law, which only enabled the act to take place and the accused to go unpunished. Indeed, many in Darjeeling believe that the government is using the case (and related evidence) as a pawn to exert pressure on GJM leaders.

Towards direct state control

The State government was, however, not content with ruling at a distance through the GJM strongmen. Rather, once the GJM support base began to dwindle, it became more directly engaged in local party politics. Since 2012, backed by paramilitary forces, the TMC established units in Darjeeling, opening a venue to access those developmental resources not controlled by the GJM-led council. Further, its active support to some Gorkha sub-groups demanding tribal status by granting them (non-territorial) development boards under direct purview of the State weakened the GJM's monopoly over development resources, and thus impacted an importance source of their public authority. Spurred by these developments, other regional parties also began to hold public meetings. The conditions for such resistance against the GJM petty sovereigns are, however, created by the State government which utilises local party political rivalries to further weaken the GJM and the Gorkhaland demand.

Conclusion

The government draws on a broad repertoire of strategies for ascertaining its sovereignty in unruly spaces. Based on evidence from the Gorkhaland movement in Darjeeling, I showed how the West Bengal government brought local party strongmen within its governmental ambit by creating and controlling the conditions of a "state of exception" in the contested region. This became visible in the temporary suspension of law and order and the acceptance of informal resource monopolies. These exceptions created the conditions

for local leaders to wield power despite of challenges to their rule by other local actors. Ultimately, declining public support and these leaders' dependence on the State government transformed them into "petty sovereigns" lacking self-grounded sovereignty (cf. Butler 2004). In analysing the state-conditioned exercise of sovereign power by *informal* sovereigns, the case study also espoused the fuzziness of boundaries between state sovereignty and local strongmen's control in the contested region. This suggests that any study of state sovereignty and the state of exception must pay adequate attention to the questions: Who creates exceptions, when, how and for how long? To whom do exceptions apply, are there "exceptions" from the exceptions? Why are exceptions accepted? What exactly counts as an exception, and how can they be recognised and analysed?

Literaturverzeichnis

Agamben, G. (1998). Homo Sacer: Sovereign Power and Bare Life. Translated by Daniel Heller-Roazen. Stanford: Stanford University Press.

Agamben, G. (2005). State of exception. Chicago: University of Chicago Press.

Agnew, J. (2005). Sovereignty regimes: Territoriality and state authority in contemporary world politics. Annals of the Association of American Geographers *95*(2): 437–461.

Axtmann, R. (2004). The state of the state: the model of the modern state and its contemporary transformation. International Political Science Review 25(3): 259–279.

Butler, J. (2004). Precarious life. The powers of mourning and violence. London: Verso.

Chakrabarty, S. R. (2005). Silence under freedom: The strange story of democracy in the Darjeeling hills. In: R. Samaddar (Ed.), The politics of autonomy. Indian experiences. New Delhi, 173–195.

Erlenbusch, V. (2012). The concept of sovereignty in contemporary continental political philosophy. Philosophy Compass *7*(6): 365–375.

Hagmann, T., & Korf, B. (2012). Agamben in the Ogaden: Violence and sovereignty in the Ethiopian-Somali frontier. Political Geography 31(4): 205–214.

Hansen, T. B., & Stepputat, F. (2006). Sovereignty revisited. Annual Review of Anthropology 35: 295–315.

Karlsson, B. (2011). Unruly hill: a political ecology of India's Northeast. London: Berghahn.

Korf, B., & Schetter, C. (2012). Räume des Ausnahmezustands. Carl Schmitts Raumphilosophie, Frontiers und Ungoverned Territories. Peripherie 126/127: 147–170.

Krasner, S. D. (1999). Sovereignty. Organised hypocrisy. Princeton: Princeton University Press.

Lacina, B. (2009). The problem of political stability in Northeast India: Local ethnic autocracy and the rule of law. Asian Survey 49(6): 998–1020.

Li, T. (2011). Relational histories and the production of difference on Sulawesi's upland frontier. The Journal of Asian Studies 60(1): 41-66.

Middleton, T. (2013). Anxious belongings: anxiety and the politics of belonging in subnationalist Darjeeling. American Anthropologist 115(4)*:* 608-621.

Samanta, A. K. (2000). Gorkhaland movement. A study in ethnic separatism. New Delhi: A.P.H. Publishing corporation.

Sarkar, D. K., & Bhaumik, D. (2000). Empowering Darjeeling Hills. An experience with Darjeeling Gorkha Hill Council. Delhi: Indian Publishers Distributers.

Schmitt, C. (1985). Political theology. Four chapters on the concept of sovereignty (G.D. Schwab translation). Boston: MIT Press.

Stepputat, F. (2013). Contemporary governscapes: Sovereign practice and hybrid orders beyond the centre. In: M. Bouziane, C. Harders, & A. Hoffmann (Eds.), Local politics and contemporary transformation in the Arab world. Governance beyond the center. Basingstoke: Palgrave Macmillan, 25–42.

Subba, T. B. (1992). Ethnicity, state and development. A case study of the Gorkhaland movement in Darjeeling. New Delhi: Har-Anand Publications.

Wenner, M. (2016). Diasporic imaginations of Darjeeling. Gorkhaland as an imaginative geography. In: T.B. Subba & A.C. Sinha (Eds.), Nepali diaspora in a globalised era. Delhi, 108-130.

Wenner, M. (2015). Legitimization through patronage? Strategies for political control beyond ethno-regional claims in Darjeeling, India. Geoforum 66: 234–243.

Werlen, B. (2005). Regions and everyday regionalizations. From a space-centred towards and action-centred human geography. In: H. van Houtum, W. Zierhofer, & O. Kramsch (Eds.), B/ordering Space. Burlington, 47–60.

Kontakt

Miriam Wenner, Dr.
Geographisches Institut, Universität Zürich, Schweiz
Winterthurer Str. 190, CH - 8057 Zürich
miriam.wenner@uzh.ch